

Hon. Robert S. Lasnik

11-CV-00726-APPL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTONJASON MOOMJY, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

HQ SUSTAINABLE MARITIME  
INDUSTRIES, INC., NORBERT  
SPORNS and JEAN-PIERRE  
DALLAIRE, *et al.*,

Defendants.

No. 2:11-cv-00726-RSL

CLASS ACTIONSTIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME TO FILE  
BRIEFING ON MOTIONS TO DISMISS  
IN LIGHT OF SETTLEMENT IN  
PRINCIPLENOTE ON MOTION CALENDAR:  
September 14, 2012

WHEREAS Defendants in this case filed motions to dismiss (Dkt. Nos. 109, 111, and 115) on February 7, 2012 (the "Motions to Dismiss");

WHEREAS in light of settlement discussions, the parties have stipulated to, and the Court has approved, extensions on the deadlines for Lead Plaintiff's opposition to the Motions to Dismiss and Defendants' replies thereto;

WHEREAS by a stipulation and order dated August 16, 2012, the Court ordered that the deadlines for Lead Plaintiff's opposition to the Motions to Dismiss and Defendants' replies thereto be extended at the parties' request in order to permit them to continue settlement negotiations. Lead Plaintiff's opposition to the Motions to Dismiss and

STIP AND ~~PROP~~ ORDER EXTENDING TIME TO  
FILE BRIEFING ON MOTIONS TO DISMISS IN  
LIGHT OF SETTLEMENT IN PRINCIPLE – Page 1  
(No. 11-726-RSL)



YARMUTH WILSDON PLLC

818 STEWART STREET, SUITE 1400  
SEATTLE WASHINGTON 98101  
T 206.516.3800 F 206.516.3888

1 Defendants' replies thereto are now due on September 14, 2012, and October 19, 2012,  
2 respectively, and the motions have been re-noted for October 19, 2012 (Dkt. No. 131);

3 WHEREAS the parties believe that they have reached a settlement in principle,  
4 Lead Plaintiff has sent draft settlement documents to Defendants, and Defendants will  
5 provide Lead Plaintiff with proposed edits to those settlement documents on September 14,  
6 2012; and

7 WHEREAS the parties anticipate filing papers related to preliminary approval of the  
8 settlement, notice to the class, and the hearing for final approval of the settlement by  
9 September 28, 2012;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and  
11 among the parties, that:

12 1. The time for Lead Plaintiff to file an opposition to the Motions to Dismiss  
13 should be extended from September 14, 2012, to September 28, 2012.

14 2. The time for HQ Sustainable Maritime Industries, Inc., Norbert Sporns,  
15 Jean-Pierre Dallaire, Ladenburg Thalmann & Co. and Roth Capital Partners, LLC to file  
16 replies in further support of their Motions to Dismiss should be extended from October 19,  
17 2012, until November 2, 2012.

18 3. The Motions to Dismiss should be re-noted for November 2, 2012.  
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1 DATED: September 14, 2012

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3 KELLER ROHRBACK L.L.P.

4 /s/ Elizabeth A. Leland

Lynn Lincoln Sarko, WSBA # 16569

5 Juli E. Farris, WSBA #17593

Elizabeth A. Leland, WSBA # 23433

6 1201 Third Avenue, Suite 3200

Seattle, WA 98101-3052

7 Telephone: (206) 623-1900

*Liaison Counsel for the Proposed Class*

8  
9 COHEN MILSTEIN SELLERS & TOLL PLLC

Steven J. Toll

10 Julie G. Reiser, WSBA #27485

11 1100 New York Avenue, N.W.

Suite 500, West Tower

Washington, D.C. 20005

12 Telephone: (202) 408-4600

*Lead Counsel for the Proposed Class*

13  
14 COZEN O'CONNOR

15 /s/ Michael D. Handler

Michael D. Handler, WSBA #25654

16 1201 Third Avenue, Suite 5200

Seattle, WA 98101-3071

17 Telephone: (206) 808-7839

18 Robert Hayes

Rachel Robbins

19 Peter M. Ryan

Cozen O'Connor


20 1900 Market Street

Philadelphia, PA 19103

21 Telephone: (215) 665-2000

*Counsel for Defendant HQ Sustainable Maritime Industries, Inc.*

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 YARMUTH WILSDON PLLC

818 STEWART STREET, SUITE 1400  
SEATTLE WASHINGTON 98101  
T 206.516.3800 F 206.516.3888

1 YARMUTH WILSDON PLLC

2 /s/ Jeremy E. Roller

3 Jeremy E. Roller, WSBA No. 32021  
4 818 Stewart Street, Suite 1400  
5 Seattle, WA 98101  
Telephone: (206) 516-3800  
jroller@yarmuth.com

6 CHADBOURNE & PARKE LLP

7 Thomas J. McCormack

8 Marc D. Ashley

9 Marcelo M. Blackburn

10 30 Rockefeller Plaza

11 New York, NY 10112

Telephone: (212) 408-5100

tmccormack@chadbourne.com

mashley@chadbourne.com

mblackburn@chadbourne.com

*Counsel for Defendants Norbert Sporns and Jean-Pierre Dallaire*

12 SAVITT BRUCE & WILLEY LLP

13 /s/ James P. Savitt

14 James P. Savitt, WSBA #16847

15 Miles A. Yanick, WSBA #26603

16 1425 Fourth Avenue, Suite 800

Seattle, WA 98101-2272

jsavitt@jetcitylaw.com

myanick@jetcitylaw.com

*Counsel for Defendants Ladenburg Thalmann & Co. and Roth Capital Partners, LLC*

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YARMUTH WILSDON PLLC

818 STEWART STREET, SUITE 1400  
SEATTLE WASHINGTON 98101  
T 206.516.3800 F 206.516.3888

**[PROPOSED] ORDER**

IT IS HEREBY ORDERED that in light of the parties' progress toward settlement of this action, and to conserve the resources of the parties and the Court, the deadline for the Lead Plaintiff to file an opposition to the pending motions to dismiss the consolidated complaint in this action (Dkt. Nos. 109, 111, and 115) is extended until September 28, 2012. The Defendants shall have until November 2, 2012, to file any replies in further support of their motions to dismiss. The motions to dismiss shall be re-noted for November 2, 2012.

DATED this 19<sup>th</sup> day of Sept., 2012.

  
THE HON. ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE